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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,876	04/30/2001	Yoshiaki Sumida	1152-0276P	1196
2292	7590	05/19/2005	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			SON, LINH L D	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,876

Applicant(s)

SUMIDA, YOSHIKI

Examiner

Linh LD Son

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This written action is responding to the amendment dated 01/21/05.
2. Claims 1-8 are amended. Claims 13-17 are newly added.
3. Claims 1-17 are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art, hereinafter "AAPA", in view of Birkler et al, US Patent No. 6516314B1, hereinafter "Birkler".

6. As per claims 1 and 17, AAPA discloses "A wireless search device for locating a second wireless search device, each wireless search device comprising: identification code storage means for storing an identification code; identification code input means for inputting an identification code" in (Applicant Specification, page 2 lines 8-11); "notification voice storage means for storing voice data for producing a notification voice for notification" in (Applicant Specification, page 2 lines 15-17); "communication means for automatic transmission and reception of an identification code" in (Applicant Specification, page 2 lines 13-14); "identification code identifying means for identifying

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whether an identification code received from the other of the first and second search device matches a code stored in said identification code storage means; and notification means for notifying that a matching identification code has been received by producing the notification voice defined by the notification voice data stored in said notification voice storage means" in (Applicant Specification, page 2 lines 11-19). However, AAPA does not disclose "wherein the notification voice data stored in the notification voice data storage means of one of the first and second search devices are automatically transmitted to the other of the first and second search devices after an identification code match is detected so that the same notification voice is produced by the first search device and the second search device". Nevertheless, Birkler discloses an "Optimization of Change log Handling" invention, which include a capability to synchronize data when an identity of the device is checked against the identification storage means (Col 6 lines 40-47, and Col 7 lines 29-45). Therefore, it would have been obvious at the time of the invention was made for one having ordinary skill in the art to modify the Birkler to synchronize the notification voice data between the devices and incorporate with AAPA so that right notification data correlated with the identification data can be sounded when the target device is in range. The correct notification will provide a sound identification of both parties when it is in range to hear.

7. Claims 3, 5, 7, 9, 11, 13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art, hereinafter "AAPA", in view of Birkler et

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al, US Patent No. 6516314B1, hereinafter "Birkler", and further in view of Kuki, US Patent No. 5940770.

8. As per claims 3 and 16, AAPA and Birkler discloses a wireless search device according to claims 1 and 13". However, AAPA and Birkler is silent on "further comprises: previous identification code storage means for storage of identification codes applied for the previous identification, and for forwarding of an identification code to be applied for the coming meeting to said identification code storage means, and identification code selection means for selecting an identification code to be applied for the coming meeting from the identification codes stored in said previous identification code storage means". Nevertheless, Kuki does disclose "further comprising: previous identification code storage means for storage of identification codes applied for a previous identification (Col 6 lines 1-10, and Col 8 lines 11-15), and for forwarding of an identification code to be applied for a coming meeting to said identification code storage means (Col 6 lines 1-10, and Col 8 lines 11-15), and identification code selection means for selecting an identification code to be applied for the coming meeting from the identification codes stored in said previous identification code storage means (Col 6 lines 1-10, and Col 8 lines 11-15)". Therefore, it would have been obvious at the time of the invention was made for one having ordinary skill in the art to incorporate Kuki's method with AAPA and Birkler to provide multiple capabilities to operate in different scenarios.

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9. As per claims 5 and 7, AAPA and Birkler discloses a wireless search device according to claims 1 and 3. However, AAPA and Birkler is silent on “wherein, when, after a matching identification code is received by the first one of the first and second searching devices, the matching identification code is stored in the matching code storage means of the first searching device in association with an identification of a user of the second of the first and second storage devices. Nevertheless, Kuki does in (Col 8 lines 11-15). Therefore, it would have been obvious at the time of the invention was made for one having ordinary skill in the art to incorporate Kuki’s method with AAPA and Birkler to provide multiple capabilities to operate in different scenarios.

10. As per claims 9 and 11, AAPA and Birkler discloses a wireless search device according to claims 1 and 3, wherein said identification code storage means may store a plurality of identification codes” in (Birkler, Col 6 lines 44-48)

11. As per claim 13, AAPA discloses “A method of notifying the user of a first search device that the user of a previously identified second search is within a given proximity of the first search device comprising the steps of: causing said first search device to automatically transmit an identification code and listen for a predetermined identification code” in (Applicant Specification, page 2 lines 8-14); However, AAPA is silent on “if the predetermined identification code is received, sending notification voice data to the second search device and sounding a notification voice defined by the notification voice data at the first and second devices”. Nevertheless, Birkler discloses an “Optimization

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of Change log Handling” invention, which include a capability to synchronize data when an identity of the device is checked against the identification storage means (Col 6 lines 40-47, and Col 7 lines 29-45). Therefore, it would have been obvious at the time of the invention was made for one having ordinary skill in the art to modify the Birkler to synchronize the notification voice data between the devices and incorporate with AAPA so that right notification data correlated with the identification data can be sounded when the target device is in range. The correct notification will provide a sound identification of both parties when it is in range to hear and soundly identifiable.

12. Claims 2, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art, hereinafter “AAPA”, in view of Birkler et al, US Patent No. 6516314B1, hereinafter “Birkler”, and further in view of Parvulescu et al, US Patent No. 5969636, hereinafter “Parvulescu”.

13. As per claims 2 and 14-15, AAPA and Birkler discloses a wireless search device according to claims 1 and 13-14. However, AAPA and Birkler does not further teach the notification voice storage means for storing a plurality of notification voice data; and notification voice input/selection means for inputting notification voice data in said notification voice storage means, selection of one of a plurality of notification voice data stored in said notification voice storage means, and storing it in said applicable notification voice storage means. Nevertheless, Parvulescu does teach the notification voice storage means and allow the user to record or select a customized or a generic

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voice notification (Col 2 line 63 to Col 3 line 39). Therefore, it would have been obvious at the time of the invention was made for one having ordinary skill in the art to incorporate Parvulescu's teaching to provide a flexible, and organize solution to the user to operate the device in different scenarios.

14. Claims 4, 6, 8, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art, hereinafter "AAPA", in view of Birkler et al, US Patent No. 6516314B1, hereinafter "Birkler", and further in view of Parvulescu et al, US Patent No. 5969636, hereinafter "Parvulescu", and further in view of Kuki, US Patent No. 5940770.

15. As per claim 4, AAPA, Birkler, and Parvulescu discloses a wireless search device according to claim 2". However, AAPA, Birkler, and Parvulescu is silent on "further comprises: previous identification code storage means for storing an identification code applied for the previous identification, and for forwarding of an identification code to be applied for the coming meeting to said identification code storage means, and identification code selection means for selecting an identification code to be applied for the coming meeting from the identification codes stored in said previous identification code storage means". Nevertheless, Kuki does teach "further comprises: previous identification code storage means for storing an identification code applied for the previous identification, and for forwarding of an identification code to be applied for the coming meeting to said identification code storage means (Col 6 lines 1-10, and Col 8

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lines 11-15), and identification code selection means for selecting an identification code to be applied for the coming meeting from the identification codes stored in said previous identification code storage means (Col 6 lines 1-10, and Col 8 lines 11-15)".

Therefore it would have been obvious at the time of the invention was made for one having ordinary skill in the art to incorporate Kuki's teaching to provide a flexible, and organize solution to the user to operate the device in different scenarios.

16. As per claims 6 and 8, AAPA, Birkler, and Parvulescu discloses a wireless search device according to claims 1 and 4. However, AAPA, Birkler, and Parvulescu is silent on "wherein, when, after a matching identification code is received by the first one of the first and second searching devices, the matching identification code is stored in the matching code storage means of the first searching device in association with an identification of a user of the second of the first and second storage devices.

Nevertheless, Kuki does in (Col 8 lines 11-15). Therefore, it would have been obvious at the time of the invention was made for one having ordinary skill in the art to incorporate Kuki's method with AAPA and Birkler to provide multiple capabilities to operate in different scenarios.

17. As per claims 10 and 12, AAPA, Birkler, and Parvulescu discloses a wireless search device according to claims 2 and 4, wherein said identification code storage means may store a plurality of identification codes" in (Birkler, Col 6 lines 44-48).

Response to Arguments

18. Applicant has amended claims 1-8 and added new claims 13-17, which necessitated new grounds of rejection. See Rejections above.

Conclusion

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

20. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (571)-272-3856.

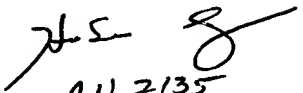
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21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (571)-272-3859. The fax numbers for this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2100.

22. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval IPAIR.I system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pzr-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Linh LD Son

Patent Examiner



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